श्री अटल बिहारी वाजपेयी: महोदय, यह सरकार टुकड़ों में बंटी हुई नहीं है।

श्री सभापति: क्वेश्चन आवर तो है।

श्री अटल बिहारी वाजपेयी: हमारे जमाने में ऐसा नहीं होता था ...**(व्यवधान)** मैं इसको जरा संशोधित रूप में रखता हूं। क्या मानव संसाधन मंत्रालय ने डिपार्टमेंट आफ पर्सनल के साथ इस मामले को उठाया कि एडमिनिस्ट्रेटिव ट्रिब्यूनल को जल्दी-से-जल्दी मजबूत किया जाये जिससे कि सभी कार्पोरेशन्स और इस तरह की सोसायटीज उसके कार्यक्षेत्र में आ सकें? अगर उठाया तो उनकी क्या प्रतिक्रिया है?

श्री पी० शिवशंकर: महोदय, हमने सारी सोसायटीज के सम्बंध में कोई प्रश्न नहीं उठाया, है हम ने सिर्फ अपनी सोसायटी के सम्बंध में उठाया है जो हमारे डिपार्टमेंट के अंतर्गत है।

श्री सभापति: आप इसे पर्सू करेंगे?

श्री पी० शिवशंकर: महोदय, मैंने निवेदन किया कि जब कमेटी आफ सेक्रेटरीज के सामने यह मामला गया, मैं आपसे इतना निवेदन करूं कि यह जो एक्ट है यह 1985 से लागू हुआ है और उसके बाद इसके जो प्रिंसिपल बेंचेज हैं वह दिल्ली, इलाहाबाद, बंबई, कलकत्ता और मद्रास में नवम्बर, 1985 से स्थापित की गयी हैं। मार्च, 1986 में तीन और बेंचेज स्थापित की गयी हैं, जून 1986 में 6 और बेंचेज की स्थापना की गयी है। इस तरह से आज पोजीशन यह है कि सेंट्रल एडमिनिस्ट्रेटिव ट्रिब्युनल को 15 बेंचेज काम कर रही हैं।

श्री सभापति: आप कोशिश करेंगे कि कुछ स्ट्रेंथन हो जाये और आपके केसेज भी उनमें आ जाएं।

श्री पी० शिवशंकर: महोदय, डिपार्टमेंट आफ पर्सोनल खुद इस बात को देख रहा है। वह खुद इस बात की जांच कर रहे हैं कि और कितनी ज्यादा आवश्यकता है। इसलिए मैंने निवेदन किया कि जब इनकी सेंट्रल एडमिनिस्ट्रेटिव ट्रिब्युनल की क्षमता हो जाएगी, वह और भी कुंछ बढ़ाने की कोशिश कर रहे हैं। जब ऐसे और बेंचेज बनेंगे या फर्ज कर लीजिए जजेज की नियुक्ति की जाएगी तो ऐसी सूरत में क्षमता के आधार पर हम जरूर ऐसी सोसायटीज का उसमें नोटिफिकेशन कर देंगे।

श्री अटल बिहारी वाजपेयी: अध्यक्ष जी क्या मंत्री महोदय ने अपने स्तर पर यह मामला उठाया है या सचिवों के भरोसे छोड दिया है?

श्री पी० शिवशंकर: मैंने उठाया है। उसीके बावजूद भी आप तो जानते हैं, आप भी मंत्री रह चुके हैं कि कुछ प्रोसीजर फालो करना पड़ता है।

श्री अटल बिहारी वाजपेयी: हमारे जमाने में ऐसा नहीं होता था।

श्री पी० शिवशंकर: आपके जमाने में एडमिनिस्ट्रेटिव ट्रिब्युनल था ही नही। ... **(व्यवधान)**... धन्यवाद, यह कहने के लिए।

Protection of women

@*182. DR. BAPU KALDATE: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether Government are aware of the recent complaint made by the National Commission on Self-Employed Women and Women in the Informal Sector that the provisions of the relevant laws are not adequate enough to protect women;

(b) if so, what are the details of the recommendations made by the Commission in this regard; and

(c) what steps have been taken to amend the laws to make those more purposeful and effective in giving protection to women?

THE MINISTER OF STATE IN THE DEPARTMENTS OF YOUTH AFFAIRS AND SPORTS AND

@ Previously Starred Question No. 142 transferred from the 3rd March, 1989

WOMEN AND CHILD DEVELOPMENT IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI MARGARET ALVA) : (a) The National Commission on Self Employed Women and Women in informal Sector has pointed out in its Report that the "Labour laws are ineffective in so far as there is inadequate or more often no enforcement of these laws. The enforcement machinery is inadequate, the provisions of the laws are not clear and precise, making it a battle ground for legal interpretation in the heirarchy of tribunals and courts."

(b) A list of the recommendations made in this regard is placed on the Table of the House. (*See below*)

(c) The recommendations of the Commission are under consideration of the Government.

Statement

Major recommendations of the National Commission on Self-Employed Women regarding the Legislative Protection for women.

(1) The women as also the men, must have a right to employment. We also recommend that "the right to work", already a Directive Principle should be made a Fundamental Right.

(2) The Piece-rate must be so fixed that it will enable women workers to earn for 8 hours' work a wage equal to the time rated minimum wage. Where the work is carried out in the homes of the women workers, consequent on which the employer saves on installation, supervisory cost, equipment and sometimes even on raw materials, an additional amount calculated at 25 per cent of the minimum rate of wages will have to be paid. There should be a system of fall-back wages being paid in a situation where an employer is not able to provide a full day's employment. Exemption from payment of minimum wages under any circumstances should be prohibited. There should be a system of a national or regional minimum wage.

(3) The tendency to classify tasks, generally done by women, to be of a slightly inferior nature, should be corrected. For this purpose, it is necessary to broad band into one category those activities which are of the same or similar nature of work.

(4) The retrenchment of women in any establishment (irrespective of the number of persons employed) must require the prior permission of a designated authority.

(5) Setting up of an Equal Opportunities Commission to be set up under a Central Law which must have wide powers of investigations, direction advice and monitoring.

(6) Establishment of Tripartite Boards, for the reason that no law, however well conceived, will be of benefit to women workers unless they have a major hand in the implementation of these laws and this should be achieved only at a Tripartite Board in which workers will have as many representatives as the Government and employers to give them knowledge. Women workers will be adequately represented proportionately to their numerical strength.

(7) Setting up of a Central Fund from which welfare and Social security measures for women workers should be financed.

(8) There should be a separate wing in the Labour Department for unorganised workers and there should be adequate number of women employees at various places.

(9)The Women's organisations, trade unions, workers' representatives, Government's women functionaries and individual workers be vested with powers to inspect work sites and to file complaints on behalf of the workers.

(10) Labour Courts and trade authorities be vested with ministerial powers and time limits for filling claims of objections to be fixed and periodical review be made.

(11) A Special drive for imparting legal literacy to women workers so as to enable them to be aware of the existing legislations and the methodologies through which they can take benefit under the legislation.

डा० बापू कालदातेः सभापति महोदय, यह सवाल आज के दिन आया है जो अंतर्राष्ट्रीय महिला दिवस है। महोदय अगर भारत के सम्बंध में हम कहें तो भारत में महिलाओं को या तो देवियों का स्थान दिया गया है या दासियों का। आज के दिन की यह मांग है कि महिलाओं को इंसान का स्थान दिया जाये। इस दृष्टि से हम इस प्रश्न की तरफ देखते हैं। हमें इस बात का बड़ा दुख है कि इस प्रश्न के जवाब में आपने इतना ही कहा है कि हम विचार कर रहे हैं। महोदय, आज के दिन जो भी सिफारिशें श्रम शक्ति के माध्यम से आपके पास आई हैं, आप उन सिफारिशों को लागू कर रहे हैं, आज अगर कह देते तो जो भी कुछ महिलाएं कर रही हैं, उससे उनके जीवन में एक नए विश्वास की भावना पैदा होती। महोदय, मैं आपका ध्यान दो-तीन सवालों की ओर खींचना चाहता हूं। आपने यह जो स्टेटमेंट दिया है, इसमें आपने आयटम नंबर 5 में कहा है कि, "केन्द्रीय कानून के अंतर्गत किए जाने वाले "समान अवसर आयोग" के पास जांच करने, निर्देशन और मानिटरिंग करने की व्यापक शक्तियां होनी चाहिए।" अब इसमें क्या दिक्कत है। बार-बार यह मांग की जा रही है कि महिलाओं को समान अवसर दिए जाने चाहिए, समान अवसर देने हैं, यह सरकार बार-बार कह चुकी है। जैसाकि हमारा मायनोरिटी कमीशन है, शेड्यूल कास्ट एंड ट्राइब्स कमीशन है, वैसे ही अगर महिलाओं के लिए कमीशन नियुक्त कर दें तो इनके द्वारा निर्देशन और मानिटरिंग की व्यवस्था हो सकती है। हम चाहते हैं कि यह हो, लेकिन आप बताइए कि यह हुआ है या नहीं?

इसके अलावा एक और प्रश्न है जिसकी तरफ मैं आपका ध्यान दिलाना चाहता हूं। आप जानते हैं कि जो भी महिलाएं श्रम करती हैं उनमे से 1981 की सेंसस के मुताबिक 89.5 परसेंट अन-आर्गनाइज्ड सैक्टर में काम करती हैं जहां कि सबसे बड़े खतरे के काम होते हैं और उनमें कानूनों का इंप्लीमेंटेशन नहीं हो पाता है। इसके लिए पेमेंट आफ वेजेज ऐक्ट, 1936 हो या मीनिमम वेजेज ऐक्ट 1948 हो, कांट्रेक्ट आफ लेबर अबोलिशन एंड रेगुलेशन ऐक्ट, 1970 हो, इनमें जो खामियां पाई जाती हैं वह दूर नहीं होतीं। आप जानते हैं कि पेज 96 चेप्टर 5 श्रमशक्ति में यह सब दिया गया है, लेकिन उसकी तरफ हम आपका ध्यान खींचना चाहते हैं खासकर अन-आर्गनाइज्ड सेक्टर की जो महिलाएं हैं उनके लिए जो कानून हैं उनका इंप्लीमेंटेशन करने की व्यवस्था होनी चाहिए, वह आज नहीं है।

श्री सभापतिः आप उनका जवाब तो सुनिये, आप ही जवाब भी दे रहे हैं....**(व्यवधान)**

डॉ० बापू कालदातेः इन दोनों के बारे में आप क्या करने जा रहे हैं, यह आज के दिन हमको बताइये।

SHRIMATI MARGARET ALVA: Sir, the hon, Member has raised so many questions in his first supplementary that I will have to really go point by point.

I would like, first of all, to say that this Commission was appointed by the Department of Women and Child Development because we believe in all that he has said. We are conscious of the importance and we are also aware of the neglect and the exploitation which takes place. The report was submitted to us in July, 1988. I would like to point out that the recommendations deal with various aspects of women in the unorganised sector and, therefore, the implementation cannot be done by this department itself. We are the Department of Women and Child Development alone. We have to refer them to the various Ministries. We have written to the various Ministries concerned, particularly, the Ministry of Labour. There are also other Ministries and State Governments involved. We have fixed 15th of March as the last date for us to get the feedback on what they intend to do with the recommendations.

Sir, two important points have been raised by the hon. Member. One is about the Commission about which so much has been talked about. I do want to say that it is not possible to appoint a separate Commission for each sector. But the Prime Minister in his reply to the Motion of Thanks on the President's Address —probably, the hon. Member was not present in the House at that time—the other day had announced the decision of the Government to appoint at the National level a Commissioner for women's rights, for the enforcement of women's rights. This has been the repeated de-

mand over the last few years not only in this House but in various other fora. Government have taken a decision. The Prime Minister has already made the announcement and I hope that in the course of a month or so it will be possible for us to really take follow-up action.

The other point which the Member has raised is the need for monitoring. I do agree that there are many many programmes. We have a cell in our department which monitors 27 programmes which are meant for women, taken up by various Ministries. But we find that with the expanding programmes, we need a Central Point within the department itself to get the feedback, to monitor and to give the necessary support to the programmes in the States. For this, we are in the process of setting up a National Resource Centre which will deal with all aspects of this requirement which has also been mentioned in the Ela Bhatt Commission's report where she asks for the strengthening of the monitoring cell within the Department of Women and Child Development.

The rest of it we all know. Implementation of laws is a problem. We are in the process of looking into this problem. But I must say that I just cannot bring in amendments to every law. It has to come from the respective departments to whom these recommendations have been referred.

SHRI N.K.P. SALVE: There is hardly any scope for any supplementary now.

DR. BAPU KALDATE: Very many.

AN HON. MEMBER: He has become speechless.

डॉ० बापू कालदाते: श्रीमन् रिपोर्ट यह कहती है या आजकल यह देखा जाता है और हम भी यह अनुभव करते हैं कि जैसे जैसे सॉफिस्टिकेशन या नई मशीनरी आ रही है, वैसे वैसे कई उद्योगों में से स्त्रियों को हटा देने का काम जारी है। और यह बहुत जगह पर हम खुद देख चुके हैं कि पुरुषों को हटाने के बजाए पहले स्त्रियों को निकाल दिया जाता है। इसका एक कारण यह भी है कि जो मैटरनिटी वाले मामले हैं और अन्य मामले हैं जो स्त्रियों से जुड़े हुए हैं उनको ध्यान में रखते हुए यह कारखानेदार या उद्योगपति, अपने पैसे बहुत थोड़े लगाते हैं जो रिपोर्ट कहती है कि एक करोड़ या दो करोड़ से चार करोड़ रुपये तक हर साल मैटरनिटी बेनिफिट्स के लिए जाते हैं ऐसा उनका कहना है। उनका यह भी कहना है इस रिपोर्ट में कि यह चार करोड़ रुपये तक शायद सारे देश में मैटरनिटी बेनिफिट्स के लिए इंडस्ट्रियल सैक्टर की महिलाओं के लिए जा रहे हैं। भले ही कुछ भी जाएं लेकिन यह अगर बात सही है महिलाओं को कम करने का काम चल रहा है तो क्या महिलाओं के लिए आरक्षित स्थानों का कोई इंतजाम करने का क्या सरकार सोच रही है? इसके बारे में सरकार का क्या विचार है?

SHRIMATI MARGARET ALVA: Sir, we do realise that there is a great deal of exploitation by the contractors and the employers as far as women the in-unorganised sector are concerned, but it is not possible for us to see that every single woman working on a work site or somewhere can be monitored by any Central agency. Laws are there, implementation agencies are there; I am admitting that the implementation machineries have to be strengthened, but we do not as yet have a general law by which every woman in every sector including those at home are covered. As far as maternity benefits are concerned, we are looking into the recommendations. but I do want to tell the Members that given the numbers and the problems involved it may not be possible overnight for us to reach every woman in every sector under the Maternity Benefits Act.

डॉ० बापू कालदाते: यह उनकी संख्या घटा रहे हैं रेट्रेंचमेंट करके पहले महिलाओं को निकाल देते हैं या महिलाओं के एम्प्लाय नहीं करते हैं इसके लिए क्या करना चाहते हैं?

श्रीमती मारग्रेट आल्वा: सर, इक्वल रेम्युनरेशन एक्ट जब हम लोगों ने लाया तब सब से पहले यह हुआ कि एम्प्लायर्ज़ ने महिलाओं को तो रेट्रेंच करना शुरू कर दिया क्योंकि वह सब यह नहीं चाहते थे कि यह सब बैनिफिट्स महिलाओं को दें।

When we brought in the legislation it had negative effect because they started retrenching women. This is not only with regard to this. If there are 30 women in an undertaking they have got to provide a creche. So, employers keep only 28 women and make sure that the number is not 30 so that they do not have to provide a creche. The legislation exists

but the loopholes which the employer finds are so many. Now one of the recommendations that we have made is that it should be any unit employing not 30 women but 30 persons so that even the father can leave the children in that creche. It is not necessary that only women should be employed for providing a creche. These are some of the ways by which we are trying to plug the loopholes, but the employers try to be more clever.

Men always prove to be cleverer when it comes to exploitation of women.

SHRI RAJESH PILOT: This is not a correct statement which the hon. lady Minister is making.

SHRIMATI MARGARET ALVA: What can I do? Most of the employers happen to be men. What can I do?

कुमारी सईदा खातून: माननीय सभापति महोदय, मैं मंत्री महोदया से जानना चाहती हूं कि आज महिला दिवस के रूप में महिलाओं के कई संरक्षण के लिए कुछ क्वश्चन के आन्सर मैं चाहूंगी कि महिलाओं की जो प्रापर्टी है उसके एडवर्स पोज़ैशन के लिए आप क्या कानून बनाना चाहती हैं क्योंकि महिलाओं की प्रापर्टी पर किरायेदारों के अधिकार हो जाते हैं? 12 साल तक अगर उसकी प्रापर्टी किसी दूसरे किरायेदार के अंतर्गत रहे तो वह उसी की हो जाती है। इसलिए मैं चाहती हूं कि एक अलग से इंटर्नशिप जैसे डाक्टर्ज़ की होती है उसी तरह से महिला लायर्ज़ के लिए ट्रेनिंग कोर्ट आप बना सकती हैं जिसमें महिलाओं के ही मुकदमें लिए जाएं। दो साल के लिए या तीन साल के लिए ट्रेनिंग भी लें लेंगी महिला लायर्ज़ और इसकी ट्रेनिंग कोर्ट मे महिलाओं के मुकदमें भी साल्व कर लिए जायेंगे। तो क्या आपकी नज़र में ऐसा कोई प्रावधान है?

SHRIMATI MARGARET ALVA: Sir, you will agree that it is not possible for me to set up a parallel legal system totally for women. Many of these problems are common as far as the law courts are concerned, but I can tell you that we have launched a big programme of para legal training and free legal aid for women not only through the Central Government but also through State Social Welfare Boards and voluntary organisations which we are funding.

For many of the problems affecting women, we thought that family courts, for which Parliament had passed a Bill in 1984, would provide a forum. But I am sorry to say that only four states up to now have set up family courts, though the Act was passed in 1984. We are persuading the State Governments to be a little more serious about the family courts which are very much needed.

SHRI GHULAM RASOOL MATTO: Mr. Chairman, Sir, the hon. Minister in her reply has stated— and this is very important—"we also recommend that the right to work, already a directive principle, should be made a fundamental right." By "we" what does she mean? And what stops her from making it a fundamental right?

SHRIMATI MARGARET ALVA: May I clarify to the hon. Member that this annexure is not what I am saying. These are the recommendations of the Ela Bhatt Commission. This is a verbatim report. I have just taken out the recommendations of that Commission.

SHRI GHULAM RASOOL MATTO: What is Government's reaction to this recommendation about making it a fundamental right?

SHRI N. K. P. SALVE: only for women.

SHRIMATI MARGARET ALVA: As I said in the beginning, the recommendations are under the consideration of the Government. I am not making any comments on them. I have only said that these are the recommendations because the question asked what the recommendations were. As I said, a number of these things which this report has spoken about are already being implemented. For instance, there is the question of

appropriate technologies for women. There is a separate cell already in the Ministry of Science and Technology which deals only with the problem of technologies which are appropriate for women, to remove drudgery from their lives. Each Ministry has taken up these recommendations. We are working on them. And I want to say that "we" is not Government; it is the Commission which has made the recommendations.

श्रीमती सुधा विजय जोशी: माननीय अध्यक्ष महोदय, हमें बड़ी खुशी है कि हमारी सरकार ने महिलाओं के लिए बहुत सारे कानून बनाए हैं, लेकिन दुख की बात है कि उनको कार्यान्वित करने में बड़ी कमियां महसूस की जा रही हैं। मैं मंत्री महोदय से यह पूछना चाहती हूं कि हमारे देश के जो महिला संबंधी कानून हैं और अन्य देश के जो महिला संबंधी कानून हैं, इसकी कंपरेटिव स्टडी हुई है क्या? आपने क्या कुछ ऐसा देखा है कि हमारे यहां जो कानून हैं, वह अधिक सुविधाजनक हैं महिलाओं के लिए या नहीं? यदि अधिक सुविधाजनक हैं तो वह कैसे सुविधाजनक हैं और यदि सुविधाजनक नहीं हैं, हमारे कानून में कुछ कमी हैं तो वह क्यों है और कैसे हैं?

SHRIMATI MARGARET ALVA: You mean laws of other countries? I am sorry I could not follow the question.

SHRIMATI SUDHA VIJAY JOSHI: I mean comparative study with other countries.

SHRIMATI MARGARET ALVA: Sir, I must admit that we have not gone for an international study for comparing these laws. Many of the problems of women in India are peculiar to us, to our own society and to our own economic structure. I do not think just imported solutions for Indian women...

SHRIMATI SUDHA VIJAY JOSHI: I am not talking of imported solutions or suggestions.

DR. BAPU KALDATE: She is only asking for exporting lady members to other countries to study these laws.

SHRIMATI SUDHA VIJAY JOSHI: No, I am not talking of exporting lady members either. I am asking whether you have done this comparative study or not and if at all you have done it, have you found in this study that our laws are much better than other countries, or are not so? Some solutions much be there in these laws.

SHRIMATI MARGARET ALVA: Sir, I would like to say that as far as the Department and Government are concerned, we have not initiated any study along these lines. I can only say that recently, during his visit to India, the Secretary General of the United Nations made a statement saying that they had found that the measures taken in India over the last so many years for women had been exemplary and they had, in fact, been very pleased and very proud of the efforts made in India for improving the status of women. This is the only statement which I can quote today though, I must say, I don't know if there has been any private agency or group which has made a study. But the Government has not initiated any comparative study.

SHRI SUKOMAL SEN: Sir, I have very carefully listened to what the honourable Minister has said. Today is the International Year for Women.

SHRIMATI MARGARET ALVA: International Day, not Year.

SHRI SUKOMAL SEN: Yes, International Day for Women. Now it is very good that on this Day we have got some opportunity to discuss women's problems, particularly, employment. The honourable Minister has said so many things about what her Ministery is doing about the welfare of women. Not only in the unorganized sector but even in the organized sector, I would say, in the public sector, there is gross discrimination against women taking place, and it is on the basis of sex only. I would draw the attention of

the honourable Minister to one thing—I do not know whether she knows it or not. I would like to refer to the women working in the Indian Airlines and Air-India. The honourable Minister for Civil Aviation is also sitting here. The air hostesses of Indian Airlines and Air-India are victims of discrimination.

MR. CHAIRMAN: The question is about the Informal Sector and self-employed women. You read the main question. You are expanding it.

SHRI SUKOMAL SEN: I have read it. But the honourable Minister has expanded the basis... (*Interruptions*)... Today is the International Day for Women. In the reply also there is the question of a fundamental right to women. It has been expanded.

SHRIMATI MARGARET ALVA: Let me be very clear. This fundamental right to work has been referred to by us in the answer. It is a recommendation of the Commission... (*Interruptions*)...

SHRI SUKOMAL SEN: I am not coming to that. I only want to know whether you are aware of sex discrimination being practised in Indian Airlines and Air-India. They are forced to retire at 45 years of age whereas men crew retire at 58 years of age. Women crew have the compulsion that they should not have more than two children while men crew and pilots are allowed to have any number of children. Do you know about this discrimination? What is the Ministry doing to undo this discrimination against Indian women working in Indian Airlines and Air-India?...(*Interruptions*)...

SHRIMATI MARGARET ALVA: Sir, I would like to tell the honourable Member, if I may, that I, as a backbencher in this House and as a practising lawyer in the Supreme Court, was the one who appeared for them in the Supreme Court, and I must say that it was a long-drawn-out battle. From 35 years we are able to get the Supreme Court to go up to 45 years. I appeared myself, we fought this out. But the Supreme Court judgement, somehow or other, classified women as a separate group. But I want to say—I am glad that the Minister for Civil Aviation is here—that behind the scenes I have been carrying on the battle, leading delegations to him, asking him to set this right... (*Interruptions*)...

DR. BAPU KALDATE: You are on the same Bench: you can do it.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Sir, I must thank you in the first instance for transferring this question...

MR. CHAIRMAN: One Supreme Court advocate to another Supreme Court advocate... (*Interruptions*)...

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I don't intend to cross-examine the honourable Minister at all. Sir, in the first instance, I must thank you for transferring this question from last week to a more auspicious day like today which is the International Day for Women. I am also happy that the honourable Minister has widened the scope of the question by referring to the Human Rights Commission.

MR. CHAIRMAN: Are you going to widen it further?

SHRI MURLIDHAR CHANDRAKANT BHANDARE: No, Sir. Sir, discrimination against women continues to be a sore point in our society including, of course, the fields of employment and legislation. Absence of a uniform Civil Code naturally discriminates against women, particularly, but we are very far from this objective and article 44 of the Constitution will continue to be on paper for quite some time. In matters of custody of child, there is no reason why a mother should not be a natural and equal guardian with the father.

श्री सभापति: यह सवाल किस रूप में उठ रहा है? आप तो वकील आदमी हैं ...**(व्यवधान)**...

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I am coming. One more point and I will come to that. I want to raise it because that is the topic of the day. Equal rights and access to all assets in the matrimonial home and to reside therein are not guaranteed by any law. There are crimes against women. Custodial justice to women is the prime need of the hour. We have a recent Supreme Court judgement wherein the mandatory sentence for rape was reduced to half because the victim was alleged to be a woman of easy virtue. Such a judicial attitude is distressing.

MR. CHAIRMAN: It does not arise out of this question. Mr. Bhandare, I do not have to tell you. You are a prominent advocate.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: What will the Commissioner of Human Rights do if all this is ignored?

MR. CHAIRMAN: Your this question may be all right. But it does not arise out of this question. This is not a supplementary.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: She herself referred to the Commissioner of Human Rights. That is why I altered my question from employment.

MR. CHAIRMAN: Then, you can cover everything about women.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: I must point out...

MR. CHAIRMAN: You only ask a supplementary please only a supplementary, no paper, nothing else. It should arise out of this question.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: All the papers today are carrying...

MR. CHAIRMAN: I am not interested in papers. I am interested in the question before us.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: May I ask a question?

MR. CHAIRMAN: Put your supplementary, a pointed supplementary.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Despite the discomfort of the hon. Minister. .

SHRIMATI MARGARET ALVA: I am never in discomfort.

SHRI MURLIDHAR CHANDRAKANT BHANDARE:... a time has come for her to look into all these matters in depth and come with a consolidated, self-contained code on law for protection of women. Is she undertaking, is her department undertaking any such study and proposal? That is the question.

SHRIMATI MARGARET ALVA: Sir, I would like to say that the question is limited to women in the unorganised sector and self-employed women and the Report of the Commission in this field; I need separate notice if I am to go into the laws for women in all fields because I just do not have the facts, figures and information before me now.

Disruption of flights in Saurashtra region

*183. SHRI CHIMANBHAI MEHTA: Will the Minister of CIVIL AVIATION AND TOURISM be pleased to state:

(a) whether regular daily flights between Bombay and Rajkot and to other parts of Saurashtra are being disrupted for the last several months; if so, what are the reasons therefor; and